

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Robert E. Sinclair
Application No.: 10/715,765
Filed: 11/18/2003
Customer No.: 22971
Title: Adaptive Computing Environment

Attorney Docket No.: 304557.01
Group Art Unit: 2654
Examiner: Myriam Pierre
Confirmation Number: 5254

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. § 1.97

This Information Disclosure Statement has been filed more than three (3) months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in this application. The fee of 180.00 as set forth in 37 C.F.R. § 1.17(p) is enclosed.

PART II: Patent Term Adjustment

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign Patent Office in a counterpart application and this communication was not received by the office of the undersigned more than 30 days prior to filing of this Information Disclosure Statement.

PART III: Remarks

The Applicant hereby makes of record in the above-identified application the information listed on the attached forms PTO/SB/08A and 08B. The order of presentation of the references should not be construed as an indication of the importance of the references. Documents cited on the attached forms PTO/SB/08A and 08B are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO/SB/08A be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statement by the Applicant, the Applicant urges the Examiner to form his own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

If any fees are required, the Commissioner is hereby authorized to charge the required fees, or credit any overpayments, to Deposit Account No. 50-0463.

Respectfully submitted,

MICROSOFT CORPORATION

Date: December 12, 2005

By: 

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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being electronically deposited with the USPTO on the date shown below to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

December 12, 2005

Date


Signature

David S. Lee

Type or Print Name